

Message Text

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DRAFTED BY EA/IMS:AMB DDNEWSOM:MZ

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D/LOS - MR. MOORE

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FM SECSTATE WASHDC

TO AMEMBASSY JAKARTA

C O N F I D E N T I A L STATE 262657

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LIMDIS FROM AMBASSADOR NEWSOM

E.O. 11652: GDS

TAGS: PLOS

SUBJECT: LAW OF THE SEA

1. ON NOVEMBER 22 I MET WITH JOHN MOORE AND RADM MORRIS TO DISCUSS FORTHCOMING MEETING WITH INDONESIAN TEAM ON LAW OF THE SEA. THE FOLLOWING SUMMARY OF THIS CONVERSATION IS FOR YOUR BACKGROUND INFORMATION AND IS NOT TO BE DISCUSSED WITH GOI OFFICIALS.

2. WE IDENTIFIED THREE ISSUES AS STILL OUTSTANDING -- OVER-FLIGHT OF SEA LANES, WIDTH OF SEA LANES, AND GOI SUPPORT FOR UNIMPEDED TRANSIT OF STRAITS.

3. IN DISCUSSING NEGOTIATING STRATEGY WE CONCLUDED THAT IT WOULD BE PREFERABLE FOR MOORE, IN HIS OPENING STATEMENT, TO INDICATE FLEXIBILITY ON BREADTH OF SEA LANES AND ALTITUDE LIMITATIONS ON OVERFLIGHT BUT TO AVOID ADVANCING SPECIFIC SUGGESTIONS. CONCEPT HERE IS TO GIVE INDONESIANS MAXIMUM OPPORTUNITY MAKE FIRST MOVE IN PROPOSING SPECIFIC CHANGES IN ORIGINAL U.S. PROPOSAL.

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4. MOORE WOULD INSTEAD PROPOSE THAT THE SPECIFIC TECHNICAL ASPECT OF THESE THREE ISSUES BE DISCUSSED BY SUBCOMMITTEE OF TECHNICAL EXPERTS WHO WOULD THEN REFER BACK TO FULL SESSION ON SECOND DAY. U.S. SIDE IN SUCH TECHNICAL SESSION IS PREPARED TO DISCUSS ALTITUDE LIMITS ON OVERFLIGHTS,

STRAITS ISSUES, BREADTH OF SEA LANES AND IF RAISED BY GOI LOCATION OF SEA LANES.

5. ISSUE OF PRIMARY CONCERN IS WHETHER INDONESIANS CLEARLY UNDERSTAND THAT U.S. CANNOT SUPPORT ARCHIPELAGO THEORY WITHOUT PARALLEL SUPPORT BY INDONESIANS FOR PRINCIPLE OF UNIMPEDED TRANSIT THROUGH STRAITS. MOORE CAN INDICATE AWARENESS OF INDONESIAN POLITICAL PROBLEMS AND READINESS TO DISCUSS MOST FEASIBLE MANNER IN WHICH INDONESIAN SUPPORT FOR STRAITS CAN BE EXPRESSED.

6. I TOLD MOORE AND MORRIS THAT I FELT SOEDARMONO AND MOCHTAR UNDERSTOOD THIS BUT THAT IT WAS DESIRABLE TO RE-EMPHASIZE LINK IN ORDER THAT THERE BE NO MISUNDERSTANDING. I SUGGEST THAT IN ADDITION TO OBVIOUS CALLS ON MOCHTAR AND MALIK, MOORE AND MORRIS SEEK PRIVATE MEETING WITH MARSHALL SOEDARMONO BEFORE FORMAL SESSIONS BOTH TO REITERATE THIS LINK AND TO SUGGEST THAT APPOINTMENT WITH GENERAL PANGGABEAN MIGHT BE USEFUL IN ORDER THAT WE HAVE FULL AWARENESS U.S. POSITION.

7. IN DISCUSSING WHAT MIGHT BE OUTCOME TO DECEMBER SESSION, I SAID I BELIEVED IT REALISTIC TO SEEK AGREEMENT ON TECHNICAL ASPECT OF THREE REMAINING ISSUES BUT THAT IT WOULD BE BEST TO PROPOSE THAT ANY STATEMENT ON ARCHIPELAGO THEORY AND STRAITS ISSUE BE MADE BY TWO GOVERNMENTS SHORTLY BEFORE GENEVA CONFERENCE OR AT CONFERENCE. IT IS IMPORTANT BOTH TO AVOID GIVING AWAY U.S. POSITION WITHOUT CLEAR UNDERSTANDING OF INDONESIAN SUPPORT ON STRAITS AND TO RECOGNIZE THAT PREMATURE INDONESIAN STATEMENT COULD CREATE UNNECESSARY PROBLEMS FOR GOI.

8. MOORE, MORRIS, AND I WOULD APPRECIATE EMBASSY'S COMMENTS ON FOREGOING.
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